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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,897	02/06/2004	Duncan Kerr	APL1P215X1/P2698X1US	8598
22434	7590	03/13/2007		
BEYER WEAVER LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			EXAMINER TON, ANABEL	
			ART UNIT	PAPER NUMBER
			2875	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/13/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/773,897	Applicant(s) KERR ET AL.	
	Examiner Anabel M. Ton	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1- 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Dowling (6,888,322).
3. Dowling discloses a housing for enclosing various internal components associated with the operation of the computing device; and an indicator assembly for indicating events associated with the computing device, the indicator assembly being configured to produce an indicator image at an outer surface of the housing when activated and to eliminate the indicator image from the outer surface of the housing when deactivated (col. 3 lines 1-43, claim 1)
 - The indicator assembly includes a light source capable emitting light, the light from the light source being made incident on an inner surface of the

housing in order to form the indicator image at the outer of the housing (figs 2,4); the light source includes an LED or a group of LEDs (col. 5 lines 47-58).

- The light source includes a red, green, blue and white LED, the colored LEDs performing color mixing in order to affect the color of the indicator image (col. 5 lines 47-58).
- The light is made incident on a translucent portion of the housing, the translucent portion transmitting light without permitting objects disposed behind it from being distinctly seen (col. 3 lines 17-33).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6,7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling in further view of Misaras.

6. Dowling discloses the claimed invention as recited above except for the recitation of a mask blocking light to all but a desired area and a light pipe or light guide directing light to a desired part of the housing. Misaras disclose a mask blocking light to all but a desired area. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a mask in the device of Dowling to direct light

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selectively to a desired area since using a mask in an illumination device to eliminate areas not intended to be illuminated and enhance an area desired for illumination known in the art. One would have been motivated to include such an element in the device of Dowling to provide greater illumination to a desired area. With regards to a light pipe or light guide directing light to a desired part of the housing, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a light pipe or light guide in the device of Dowling since light guide or light pipes for use in illuminated display devices are old and well known in the art since they have the advantage of providing light throughout a desired distance of the light guide, desirable optical properties and have low heat emissions. One would have been motivated to include a light guide or light pipe in the device of Dowling for providing an extended light source to the device without the need of including an additional electrical light source (For teaching see Scheinberg).

Response to Arguments

7. Applicant's arguments filed 12/11/06 have been fully considered but they are not persuasive. To begin, applicant argues that "indicator image" on the outer surface of the housing when activated not taught or anticipated by Dowling. The examiner disagrees since "indicator image" as such is an image that indicates an event associated with the computer device, Dowling discloses an embodiment which changes the exterior color of the housing in response to signals generated within the enclosed computer or from a computer network. These color changes corresponds to computer activity, changing variables on a computer network or information received from the web

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via the computer, thus indicating an event associated with the computer device. The term "image" is defined as "to create a representation of" which Dowling clearly does of an event associated with the computer device by illuminating the housing a representative color of the event. Furthermore, claims 1-7 do not require the image "being created by directing light onto a small region or point of an extended surface of the housing"; these limitations are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). With regards to applicant's argument regarding claims 6 and 7, the examiner has implemented the previously cited Misaras into the rejection to more clearly define the teaching of a mask in a display device as combined with the device of Dowling. The rejection is considered to be proper for the reasons stated above.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

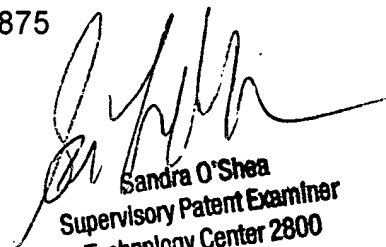
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M. Ton whose telephone number is (571) 272-2382. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anabel M Ton
Examiner
Art Unit 2875

AMT



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800